

REMARKS

The Office Action of October 10, 2007 was received and carefully reviewed. Reconsideration and withdrawal of the currently pending rejections are requested for the reasons advanced in detail below.

Claims 1 and 3-20 were pending prior to the instant amendment. By this amendment, claims 1, 4, 5 and 10-12 are amended and claims 3, 9, 13 and 14 are canceled without prejudice or disclaimer. Consequently, claims 1, 4-8, 10-12 and 15-20 are currently pending in the instant application with claims 1, 4 and 5 being independent.

In the Office Action, claims 3, 5, 9, 13, 14, 17 and 20 stand rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. In response, Applicant has canceled claims 3, 9, 13 and 14 and has amended claim 5 to read “a first plasma generating device,” as indicated in the above amendment. Further, claims 10-12 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite due to insufficient antecedent basis. In response, Applicant has amended claims 10-12 to read “wherein the pair of electrode,” as indicated in the above amendment. Therefore, Applicant respectfully requests that the 112 rejections be withdrawn.

Additionally, claims 1, 4, 6, 7, 10, 11, 15, 16, 18 and 19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. Pub. 2004/0224433 to Yamazaki et al. (Yamazaki) and claims 3, 5, 8, 9, 12-14, 17 (written as 117) and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamazaki. These rejections are respectfully traversed at least for the reasons provided below.

Yamazaki fails to render the claimed invention unpatentable. Each of the claims recite a specific combination of features that distinguishes the invention from the prior art in

different ways. For example, independent claims 1 and 5 recite a combination that includes, among other things:

etching the resist pattern at an atmospheric pressure or a pressure close to the atmospheric pressure by using the first plasma generating device.

(See, for example, page 18, ll. 19-27 of specification).

Independent claim 4 recites yet another combination that includes, *inter alia*,

forming a contact hole by etching the insulating film at the atmospheric pressure or a pressure close to the atmospheric pressure by using a second plasma generating device provided with only a pair of electrodes.

(See, for example, page 20, line 27 to page 21, line 4 of specification).

At the very least, Yamazaki fails to disclose or suggest any of these exemplary features recited in amended independent claims 1, 4 and 5.

With respect to independent claims 1 and 4, Yamazaki discloses a technique to manufacture a display device including applying a means to form a pattern such as a contact holed formed in a semiconductor film. Thus, while the method of Yamazaki utilizes a pair of electrodes, Yamazaki does not teach or disclose a manufacturing method of a display device including, *inter alia*, “etching the resist pattern at an atmospheric pressure or a pressure close to the atmospheric pressure by using the first plasma generating device,” as presently claimed and “forming a contact hole . . . by using a second plasma generating device provided with only a pair of electrodes,” as presently claimed.

For anticipation under 35 U.S.C. § 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present (M.P.E.P. 706.02). Since each and every element, as set forth in the claims are not found either expressly or inherently described as required by the M.P.E.P., Yamazaki cannot be said to anticipate the invention, as presently claimed. Hence, withdrawal of the rejection is respectfully requested.

Claims 6, 10, 15 and 18 depend from independent claim 1 and is patentable over the cited prior art for at least the same reasons as set forth above with respect to claim 1.

Claims 7, 11, 16 and 19 depend from independent claim 4 and is patentable over the cited prior art for at least the same reasons as set forth above with respect to claim 4.

With respect to independent claim 5, the Applicant of the present invention is the same as the Applicant of Yamazaki. Thus, the subject matter of Yamazaki is disqualified as prior art in accordance with the MPEP 706.02(l)(3) for examination procedure with respect to 35 U.S.C. 103(c). Therefore, in accordance with the MPEP, the present application and Yamazaki were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same person(s) or organization(s). Hence, Yamazaki is not available as prior art to reject the pending claims under 35 U.S.C. § 103(a) by § 103(c) and withdrawal of the rejection is respectfully requested.

Claims 8, 12, 17 and 20 depend from independent claim 5 and is patentable over the cited prior art for at least the same reasons as set forth above with respect to claim 5.

Each of the dependent claims depend from one of independent claims 1, 4 or 5 and are patentable over the cited prior art for at least the same reasons as set forth above with respect to claims 1, 4 and 5.

In addition, each of the dependent claims also recite combinations that are separately patentable.

In view of the foregoing remarks, this claimed invention, as amended, is not anticipated or rendered obvious in view of the prior art references cited against this application. Applicant therefore requests the entry of this response, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

In discussing the specification, claims, and drawings in this response, it is to be understood that Applicant in no way intends to limit the scope of the claims to any exemplary embodiments described in the specification and/or shown in the drawings. Rather, Applicant is entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

Should the Examiner believe that a telephone conference would expedite issuance of the application, the Examiner is respectfully invited to telephone the undersigned patent agent at (202) 585-8100.

Respectfully submitted,

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